

JK

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS

Plaintiff: Timnell Williams B58000
Po Box 112
Joliet, IL 60434

1:18-cv-0019
Judge Matthew F. Kennelly
Magistrate Judge Maria Valdez
PC 4

Defendant 1: Director John Baldwin
Director of I.D.O.C
1361 Concordia Ct.
Springfield, IL 62794

RECEIVED

JAN 2 2018 *fb*

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Defendant 2: DR. ~~XXXXXXXXXX~~ Elaze Guj
Doctor for Stateville CC (NRC)
Stateville Correctional Center
Joliet, IL 60434

Defendant 3: Laura McQueen
Nurse of Stateville Correctional Center
Stateville Correctional Center (NRC)
Joliet, IL 60434

Defendant 4: DR. Diann
Doctor for Stateville Correctional Center
Stateville Correctional Center (NRC)
Joliet, IL 60434

Defendant 5: Warden Pfister
Warden for Stateville Correctional Center
Stateville Correctional Center
Joliet, IL 60434

TURNELL WILLIAMS, BS8000,
Plaintiff,

V.

Case No.:
Judge:

ILLINOIS DEPARTMENT OF CORRECTIONS,
DR. ELAZQUIL, LAURA McQUEEN,
DR. DEANN, WARDEN PFISTER, and
JOHN BALDWIN.

Defendants.

U.S.C. 1983 COMPLAINT

Plaintiff Turnell Williams, Pro Se alleges as follows:

1. This is a civil action arising under Section 502, of the Americans with Disabilities Act, 42, U.S.C. 12132; and Section 504, of the Rehabilitation Act, 29, U.S.C. 7940a; Eighth Amendment; Fourteenth Amendment; and Equal Protection.

2. Plaintiff Turnell Williams, is a disabled wheelchair assisted resident of The Northern District of Illinois, whom is presently incarcerated in Stateville Correctional Center, which is an inaccessible facility for wheelchair-bound inmates.

3. Defendant Baldwin, is the director of F.D.O.C. Plaintiff Sues Baldwin in his official capacity only. Defendant is responsible for accommodating the needs of disabled inmates.

4. Defendant Pfister, is the Warden of Stateville Correctional Center. Plaintiff Sues Pfister in his official capacity only. Defendant is responsible for accommodating the needs of disabled inmates.

5. Defendant Elac2 Qui is responsible for the treatment and Health Care of Plaintiff while being in Stateville C.C. Plaintiff Sues defendant Elac2 Qui, in his official and individual Capacity.

6. Defendant Mc Queen, is responsible for the treatment and Health Care of Plaintiff while being in Stateville C.C. Plaintiff Sues defendant Mc Queen in her official and individual Capacity.

7. Defendant Diann is responsible for the treatment and Health Care of Plaintiff while being in Stateville C.C. Plaintiff Sues defendant Diann in her official and individual Capacity.

8. Plaintiff is unable to use his legs and left arm adequately and is a "qualified individual with a disability protected by the ADA and the Rehabilitation Act."

9. Plaintiff entered Stateville C.C. December 1, 2017, and he will be housed at the inaccessible for at least Five (5) months.

10. When Plaintiff entered I.D.O.C. on December 1, 2017, Each defendant had the Knowledge Plaintiff required a Wheelchair to move from place to place, that he required a Special toilet, Sink, bed rails, Wheelchair accessible bed, and Shower facilities and that he must be assigned to a Facility and Cellhouse Capable of accommodating his disability.

11. At all times relevant, Stateville is/has not been an authentic ADA Facility with accessible units to house each "qualified individuals wheelchair-bounded with disabilities".

12. At all times relevant, defendants Baldwin and Pfister has been aware that Stateville is inaccessible for wheelchairs and that I.D.O.C. has not had a sufficient number of ADA Facilities and accessible housing units for each qualified individual with a disability whom enters I.D.O.C.

13. Rather than take any corrective action about the insufficient number of ADA facilities and inaccessible cellhouse units at Stateville defendants Baldwin and Pfister has turned a blind eye resulting in a widespread violations of federal law.

14. December 11, 2017, defendant Elaczki kicked Plaintiff out of the "only accessible unit" to put another inmate in the accessible unit in the infirmary because there was no room for the other inmate despite of Plaintiff's protesting about "the inaccessible units; no one to assist him when he have Seizures; (had two (2) Since December 1, 2017) no way to get in the inaccessible beds; no way to Showers and the irreparable harm he will face."

15. At all times relevant, approximately December 5, 2017, defendant changed Plaintiff's dosages and times "Only for the convenience of medical staffs gave Plaintiff improper amounts of another medication that he was taken overmedicating him resulting in him having multiple seizures and injuries."

16. At all times relevant, Plaintiff has not been called to the infirmary with deliberate indifference to his serious medical needs and has submitted numerous request to defendant Elaczki in which he has not been called resulting in more seizures without medical assistance.

17. At all times relevant, Plaintiff is a diabetic and defendant Diann refused to call plaintiff three (3) times a day to treat Plaintiff's diabetes before meals and refusing to put him on any diabetes medications because he does not take insulin and he was told if you do not take insulin you can't come get diabetes treatment.

18. As a result Plaintiff was told his diabetes would not be treated and has been losing an undisclosed amount of weight day and night sweats; dizziness; vision impairment; migraine headaches; and fear of eating excessively, "which means Plaintiff eats once a day because of not knowing his sugar levels."

19. At all times relevant, defendant Diann refused to treat Plaintiff's diabetes daily and Plaintiff has Submitted Numerous Request Oral and Written for the Serious Medical Need to be treated and has been ignored with deliberate indifference continuously.

20. On December 1, 2017, defendant McQueen was responsible for Plaintiff receiving his medical supplies; he receives catheters, diapers (will speak the court the horrible stories ~~and~~ events); absorbing pads, and a urine bag with connectors. Plaintiff did not receive his medical supplies from December 11, 2017, through December 20, 2017; Plaintiff had to reuse the same catheter for the above periods; without diapers.

21. At all times relevant, once Plaintiff found out defendant McQueen was responsible for him not receiving supplies he called her incompetent and unprofessional and she retaliated against him by not ordering his supplies. Plaintiff begged an unknown Nurse for supplies whom stated: "You don't even have a supply chart because you off McQueen."

22. At all times relevant, Plaintiff was examined by defendants Elacqui and Diann and was told he needed Serious Physical Therapy, Stateville does not have a Physical Therapist because of being inaccessible for disable treatment, which has been causing Plaintiff ~~nerve~~ nerve issues and other irreparable harm due to Plaintiff having to stay in the cell 24 hours a day.

23. At all times relevant, Plaintiff has been living in unsanitary conditions; not being able to shower after soil issues; not being able to receive towels after soil issues; not being able to receive cleaning supplies after or uniforms after soil issues; not being able to wash or exchange sheets and blankets after soil issues which is daily; and have to sit in the cell daily living in these unsanitary conditions in which he is treated with deliberate indifference. "Authentic Story."

24. At all times relevant, Defendants I.D.C. BALDWIN and PEISTER's decision to accept custody of more disabled inmates that can be housed in the existing accessible facilities with the knowledge of Stateville being an inaccessible facility for wheelchair-bound PQA qualified individuals has resulted in a widespread of Federal Violations.

25. Plaintiff suffered physical injuries and is at risk daily to suffer further injuries in the future because of being housed at inaccessible facility and housing units.

26. Following his assignment to an inaccessible facility and units, Plaintiff made numerous oral written, and direct face-to-face complaints and has filed emergency grievances that has being unanswered and fully exhausted all available grievance remedies.

It is therefore respectfully requested that judgment be entered in favor of his injunction, for appropriate compensatory damages. In addition trial by Jury is demanded, request that the court grant his motion for recruitment of Counsel and that the court grant whatever other relief as may be appropriate, including an award of attorney fees and costs.

Date: 1-1-18

Respectfully Submitted,
Tirnell Williams

Tirnell Williams B-58020
PO Box 112
Joliet, IL 60434

Plaintiff left Cook County Jail December 1, 2017 and has not received Funds since November 11, 2017, and Plaintiff has not received Funds at Stateville Correctional Center.

Plaintiff's Lawsuits:

1. Williams v. City of Chicago, 12 C 8580. Settled.
2. Williams v. C.T.A. 17cv 9072, Pending
3. Williams v. F.DOC 13cv 216 JPB. Settled
4. Williams v. DUMEB, etal 16cv 384. Pending
5. Williams v. Cook County etal. 17cv 328. Pending.
6. Williams v. Tom Dart. etal 17cv 8644. Pending

Respectfully Submitted,
Terrell Williams

Affidavit

I Tirnell Williams, swear under penalty of perjury that the following is true and correct.

I arrived at Stateville December 1, 2017, upon arriving there was not a wheelchair area to search Plaintiff, Plaintiff wears a catheter and the catheter was yanked off while the officer picked Plaintiff up to sit on the bench.

Plaintiff has epileptic seizures, paralyzed both legs and left arm has paralysis the doctor assigned Plaintiff to the infirmary and Plaintiff could not go because of No room. Plaintiff had to sleep in his wheelchair also Plaintiff had a seizure (two (2)). The doctor assigned Plaintiff to the infirmary and Plaintiff was kicked out of the infirmary back to an inaccessible unit because the Doctor Ro2 Stated: "If you stay in the infirmary you will be here 6 months trying to transfer if you go to the cellhouse you can get out of here in about 4 months." Plaintiff Stated: "I can not do the cellhouse because of my condition"; and Plaintiff was forced out anyway because room was needed. Plaintiff filed grvs. protest and was still kicked-out. The seizures were December 1st and 7th, 2017. There are numerous people (7 or 8) in Stateville whom has been here 5 mons. waiting to leave enduring the same atypical and significant heartship Plaintiff is enduring. Most can't read or write and do not know how to address their claims.

AFFIDAVIT

I, Tirnell Williams being first duly sworn under oath depose and state that the foregoing is true and correct and made upon my personal knowledge and I am competent to testify thereto.

on December 1, 2017, I arrived at Stateville, I was assigned to the infirmary due to my Medical Condition the infirmary was full and had only one accessible unit, which was taken. I was taking seizure meds that Stateville did not give me and had a seizure. I was also placed in an inaccessible unit that I had to sleep in my wheelchair December 2, 2017, I was taken to the infirmary. on December 11, 2017 I was kicked out of the infirmary by doctor Roz, stating: "If You stay back here you will have to be here at least 6 mons. because the State has no room". I protested and told Dr. Roz, I am not able to do the inaccessible units but I was still kicked out. December 11, 2017, Dr. Roz stated: "You will only be here about 4 months. The State has no room and someone else needs the ADA room with a wheelchair." I was told I needed to deal with

Tirnell Williams

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 21 DAY December, 2017

NOTARY PUBLIC

AFFIDAVIT

I, Timell Williams being first duly sworn under oath depose and state that the foregoing is true and correct and made upon my personal knowledge and I am competent to testify thereto.

it. I am not able to shower back here after soil
issues; Not able to receive Cleaning Supplies; Staff do
not have jump suit to give stating there is not
enough. I had 4 seizures all together and staff
has not call me to medical.

I have corresponded with defendant Pfister
and defendant Baldwin. My Correspondence has
not been returned; I have filed Com. Grievances He
Process for the emergency Grievances are up to
Seven (7) days It's been 20 days and as of now
Still Counting - "DR. POZ IS Defendant ELACQUIT!"

I am Requesting to the Court that this
injunctio is heard immediately.

Timell Williams
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 21 DAY December, 2017

NOTARY PUBLIC

AFFIDAVIT

I, Marquette Jayner Y26472 being first duly sworn under oath depose and state that the foregoing is true and correct and made upon my personal knowledge and I am competent to testify thereto.

December 12, 2017 I was moved into cell G103
and the second I walked into the cell I noticed
my cellmate was sitting in a wheelchair with a diaper
& Tshirt on nothing else not to mention there was a
foul odor in the cell and I knew my cellmate had
defecated on himself I also noticed a "Biohazard" box
that also had a foul odor I asked my cellmate why wasn't
he wearing his uniform he told me that they wouldn't
give him another and the one they did give him had
urine and feces on it I felt bad for the guy so I
washed it for him by hand I also noticed old urine
stains on the floor so I asked a guard for cleaning
supplies they wouldn't give them to me so I requested to
move numerous times I was told there was no room
I had to help my cellmate get in & out of bed on & off
the toilet I kept requesting to move after while staff started
telling me no because I was his nurse in a joking way.

Marquette Jayner Y26472
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME
 THIS 12 DAY 15, 2017

 NOTARY PUBLIC

AFFIDAVIT

I, Timell Williams being first duly sworn under oath depose and state that the foregoing is true and correct and made upon my personal knowledge and I am competent to testify thereto.

I had a seizure December 15th, 17th, and 19th. I
Sent numerous Request to Health Care and have not been
called. I have to stay in this cell 24 hours a
day by myself without being monitored. I found
that ~~that~~ I was being overmedicate from an unknown
Nurse, December 20th. She looked my medications up and
I was told my Lamotrigine was for 25mg "every other day"
from 11-22-2017 - 12-6-2017, 25mg 12-7-2017-12-22-17,
50 daily 12/22-17 2/21-18, I was not receiving the
meds on that schedule, which caused multiple seizures.
At these moments I am still at risk because I am
in the cell 24 hours a day by myself and when I
tell medical DR. Diann and DR Elac2qui I had
a seizure they stated "Your seizure is over now so
don't worry about it this was December 15th and 19th.
"Stateville is a death trap for me!"

Timell Williams
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME
 THIS 29 DAY December, 2017

 NOTARY PUBLIC